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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION

11 ABDELNASER ELMANSOURY,
12 Plaintiff,
13 v.
14 CITY OF GARDEN GROVE, ET
15 AL.,
16 Defendants.

No. SACV 17-01269-DOC (DFMx)

Order Accepting Report and
Recommendation of United States
Magistrate Judge

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19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings and
20 all the records and files herein, along with the Report and Recommendation of
21 the assigned United States Magistrate Judge (Dkt. 36). No objections to the
22 Report and Recommendation were filed, and the deadline for filing such
23 objections has passed. The Court accepts the findings, conclusions, and
24 recommendations of the United States Magistrate Judge.

25 IT IS THEREFORE ORDERED that Defendants' motion to dismiss is
26 granted in part and Defendants' motion to strike Plaintiff's prayer for damages
27 under Cal. Civ. Code §§ 52 and 52.1 is granted. Plaintiff's claims under Monell
28 v. Dep't. of Soc. Servs. of City of New York, 436 U.S. 658 (1978), are

1 dismissed without leave to amend. Plaintiff's conspiracy claim against
2 Defendants Coughran, Ashbaugh, Loera, and Marchand, as well as Plaintiff's
3 direct negligence claim against the City of Garden Grove, are dismissed with
4 leave to amend. Plaintiff may file a third amended complaint, if desired, in
5 accordance with this order, on or before 14 days of the date of entry of this
6 order.

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9 Dated: June 25, 2018



10 DAVID O. CARTER
11 United States District Judge
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